

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

JULIAN DEMITRI JONES,

Plaintiff,

v.

CAREERBUILDER EMPLOYMENT
SCREENING, LLC

3800 Golf Road, Suite 120
Rolling Meadows, IL 60008

Serve on:

3800 Golf Road, Suite 120
Rolling Meadows, IL 60008

Defendant.

CIVIL ACTION NO.

COMPLAINT

JURY TRIAL DEMANDED

PRELIMINARY STATEMENT

1. This is an action for damages brought by an individual consumer, Julian Demitri Jones, against Defendant CareerBuilder Employment Screening, LLC for violations of the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. §§ 1681, *et seq.*

JURISDICTION AND VENUE

2. Jurisdiction of this Court arises under 15 U.S.C. § 1681p and 28 U.S.C. § 1331 and 1337, and supplemental jurisdiction exists for the state law claims pursuant to 28 U.S.C. § 1367.

3. Venue lies in this district pursuant to 28 U.S.C. § 1391(b).

PARTIES

4. Plaintiff Julian Demitri Jones is an adult individual residing in Suitland, MD.

5. Defendant CareerBuilder Employment Screening, LLC, (“CareerBuilder”) is a consumer reporting agency that regularly conducts business in the District of Maryland and which

has a principal place of business located at 3800 Golf Road, Suite 120, Rolling Meadows, IL 60008.

FACTUAL ALLEGATIONS

6. In or around 2018, Plaintiff applied for a position Securitas Security Services USA, Inc. (“Securitas”).

7. As part of his job application, Plaintiff signed a document purportedly authorizing Securitas to obtain a consumer report for employment purposes.

8. Securitas requested a consumer report from CareerBuilder and CareerBuilder sold to Securitas a consumer report concerning the Plaintiff on or around December 28, 2018.

9. The report furnished by CareerBuilder was for employment purposes.

10. This consumer report contained at least one item of information which was a matter of public record and of the type of information that was likely to have an adverse effect upon Plaintiff’s ability to obtain employment generally, and specifically with Securitas.

11. Defendant CareerBuilder has been reporting, and did here report, derogatory and inaccurate statements and information relating to Plaintiff and Plaintiff’s criminal history and record to third parties (“inaccurate information”).

12. The inaccurate information includes, but is not limited to, a record of a felony criminal conviction that actually belongs to a different individual, Julian Duane Jones.

13. The inaccurate information grossly disparages the Plaintiff and portrays him as a convicted felon. There is perhaps no greater error that a consumer reporting agency can make.

14. The derogatory inaccuracies appear to be caused by a misreading of public records. Any rudimentary inspection of the data would reveal the inaccuracies. Defendant obviously failed to employ such a procedure.

15. Plaintiff was subsequently denied employment at Securitas and Plaintiff was informed by Securitas that the basis for this denial was the inaccurate criminal information that appears on Plaintiff's CareerBuilder consumer report and that the inaccurate information was a substantial factor for the denial.

16. As a result of Defendant's conduct, Plaintiff has suffered actual damages in the form of lost employment opportunities, harm to reputation, and emotional distress, including, but not limited to, loss of sleep, humiliation, and embarrassment.

17. At all times pertinent hereto, Defendant was acting by and through its agents, servants and/or employees who were acting within the course and scope of their agency or employment, and under the direct supervision and control of the Defendant herein.

18. At all times pertinent hereto, the conduct of the Defendant, as well as that of its agents, servants and/or employees, was intentional, willful, reckless, and in grossly negligent disregard for federal law and the rights of the Plaintiff herein.

COUNT I – VIOLATIONS OF THE FCRA

19. Plaintiff incorporates the foregoing paragraphs as though the same were set forth at length herein.

20. At all times pertinent hereto, CareerBuilder was a "person" and a "consumer reporting agency" as those terms are defined by 15 U.S.C. § 1681a(b) and § 1681a(f), respectively.

21. At all times pertinent hereto, Plaintiff was a "consumer" as that term is defined by 15 U.S.C. § 1681a(c).

22. At all times pertinent hereto, the above-mentioned credit reports were "consumer reports" as that term is defined by 15 U.S.C. § 1681a(d).

23. Pursuant to 15 U.S.C. § 1681n and 15 U.S.C. § 1681o, Defendant is liable to the Plaintiff for willfully and negligently failing to comply with the requirements imposed on a consumer reporting agency of information pursuant to 15 U.S.C. § 1681e(b).

24. The conduct of Defendant was a direct and proximate cause, as well as a substantial factor, in bringing about the serious injuries, actual damages and harm to the Plaintiff that are outlined more fully above and, as a result, Defendant is liable to the Plaintiff for the full amount of statutory, actual, and punitive damages, along with the attorney's fees and the costs of litigation, as well as such further relief, as may be permitted by law.

JURY TRIAL DEMAND

25. Plaintiff demands trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that relief be granted as follows:

- (a) Actual damages;
- (b) Statutory damages;
- (c) Punitive damages;
- (d) Costs and reasonable attorney's fees; and
- (e) Such other and further relief as may be just and proper.

Respectfully submitted,

BY: /s/ Courtney L. Weiner
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**Application for admission pro hac vice
forthcoming*

Attorneys for Plaintiff

Dated: August 30, 2019